

Notice of Allowability

Application No.

09/875,861

Examiner

John Elmore

Applicant(s)

KINOSHITA, KIYOTAKA

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 25 April 2005.
2. ☒ The allowed claim(s) is/are 1-11 and 13-15.
3. ☒ The drawings filed on 08 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/8/2001, 10/1/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. In response to the previous office action, Applicant has amended claims 1, 5-8 and 13-15 and has cancelled claims 12 and 16. Claims 1-11, 14 and 15 have been examined.

Claim Rejections - 35 USC § 112

2. In view of Applicant's amendment, the previous rejections under 25 U.S.C. 112 are withdrawn.

Allowable Subject Matter

3. **Claims 1-11 and 13-15 are allowed.**

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 8, the closest prior art, Jacobs et al. (US 5,185,697), explains neither a characteristic registration file in which incident types and characteristic information for each incident of the respective incidents are registered nor the processor operation of identifying the incident type based on the accepted information concerning the incident and the characteristic registration file. Jacobs teaches that a human operator, rather than a computer, selects the incident type from a "list of most usual crisis situation types" (Jacobs, col. 5, lines 20-22, and col. 12, line 64) and that an incident handling information file (list of topic files) is activated based on the selection by the operator.

Although Jacobs teaches that crisis situations other the preset ones “may be defined” based on the accepted information from the operator (Jacobs, col. 5, lines 26-27), implying the capability for decision-making beyond the mere selection of an incident type (crisis situation type) by an operator from a menu of preset types, Jacobs provides no description of how an incident type may be defined by the computer. Moreover, Applicant claims that the information in the characteristic registration file is used by the computer to select an appropriate incident handling file (Applicant, claim 1); and Jacobs makes no reference to any file containing characteristics of an incident type with which a computer could reasonably use to select topic files apart from using the preset lists.

Therefore, it would not seem obvious to one of ordinary skill in the art to provide the means for a computer to identify the incident type, particularly where the simpler option exists for the operator to define what incident handling information file (list of topic files) is associated with a newly defined incident type and where the providing the means for the computer to make such a decision involves significant changes to the device including the addition of a registration file and logic to evaluate it in regard to the accepted information.

Claims 2-7, 9-11 and 13-15 are allowed by virtue of their dependence on allowed claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Elmore whose telephone number is 571-272-4224. The examiner can normally be reached on M 10-8, T-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 571-272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JE


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100